

Association of Bay Area Governments
"Legal Update"
Joseph Bort Metro Center
101 8th Street
Oakland, California

AGENDA FOR JULY 10, 2008

- 8:30 – 9:30 am I. PRISONER RELEASE ORDER
- Coleman et al. v. Schwarzenegger
 - Potential Release of 40,000 Felons
 - Potential Cap on State Prison System
 - Intervention by CSSA, CPCA, CPOC
- 9:30 – 10:30 II. POTENTIAL CHANGE TO INTERNAL AFFAIRS
- Spielbauer v. County of Santa Clara
 - Court of Appeal Rules Lybarger Protections Insufficient.
 - "Use Immunity" Requires Legislative Authority, Prosecutorial Authorization and Judicial Oversight.
 - California Supreme Court Accepts Case.
- 10:30-11:30 III. VEHICLE SEIZURES UNLAWFUL
- Miranda v. City of Cornelius
 - Unlicensed Drivers - Seizure Must Be Justified.
 - People v. Williams
 - V.C. 22651(h) (1) - Seizure Requires Justification.
 - O'Connell v. Stockton
 - State Law Trumps Local Law.
- 11:30-12:30 LUNCH BREAK
- 12:30 – 1:30 IV. MEDICAL MARIJUANA

- Garden Grove v. Superior Court (Kha)
- Federal Law Does Not Supersede State Law
- City Petitions U.S. Supreme Court for Review

1:30 – 2:30 V. PRIVACY ISSUES

- Commission on Peace Officer Standards and Training v. Superior Court (L.A. Times).
- Peace Officer Names, Employing Agencies, Hiring And Termination Dates are Public Records.

2:30 – 3:30 VI. PURSUIT LAW

- Senate Bill 719 Became Effective July 1, 2007.
- Scott v. Harris
 - U.S. Supreme Court Decision Ramming Fleeing Vehicles
Is Justifiable Use of Force Under Certain Circumstances.

4:30 – 5:30 VII. PUBLIC SAFETY OFFICERS' PROCEDURAL BILL OF RIGHTS ACT (POBR) PROTECTIONS

- Darvish v. City of Inglewood (2003)
- Upland POA v. City of Upland (2003)
- Alhambra POA v. City of Alhambra (2003)
 - "What Happened?"
 - Right of Representation of Choice
 - One Year Statute of Limitations